

## UNITED STATES BANKRUPTCY COURT District of Western District of Michigan

**Notice of  
Chapter 13 Bankruptcy Case, Meeting of Creditors, & Deadlines**

The debtor(s) listed below filed a chapter 13 bankruptcy case on 1/11/10.

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below. NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

**See Reverse Side For Important Explanations**

Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

Mark L Smith  
8458 Saint Clair Road  
Laingsburg, MI 48848

Case Number: 10-00212-jrh	Social Security/Taxpayer ID/Employer ID/Other Nos.: xxx-xx-8403
Attorney for Debtor(s) (name and address): Charles R. Cuzydlo Cuzydlo Law Group PLLC 2193 Association Drive Suite 200 Okemos, MI 48864 Telephone number: (517) 853-3962	Bankruptcy Trustee (name and address): Mary K. Viegelahn Cornerstone Building 415 West Michigan Ave. Kalamazoo, MI 49007 Telephone number: (269) 343-0305

**Meeting of Creditors**

Date: **February 4, 2010**

Time: **02:00 PM**

Location: **U. S. Post Office & Courthouse Bldg., 315 W. Allegan, Room 101, Lansing, MI 48933**

**Deadlines:**

Papers must be *received* by the bankruptcy clerk's office by the following deadlines:

**Deadline to File a Proof of Claim:**

For all creditors (except a governmental unit): **5/5/10**

For a governmental unit (except as otherwise provided in Fed. R. Bankr. P. 3002 (c)(1)), **Not later than 180 days after the date of the order for relief.**

**Creditor with a Foreign Address:**

A creditor to whom this notice is sent at a foreign address should read the information under "Claims" on the reverse side.

**Deadline to File a Complaint to Determine Dischargeability of Certain Debts:**

*No later than 60 days after the first date set for the meeting of creditors.*

**Deadline to Object to Exemptions:**

Thirty (30) days after the *conclusion* of the meeting of creditors.

**Filing of Plan, Hearing on Confirmation of Plan**

The hearing on confirmation will be held:

Date: **3/4/10**, Time: **09:45 AM**, Location: **U. S. Post Office & Courthouse Bldg., 315 W. Allegan, Room 101, Lansing, MI 48933**

**Creditors May Not Take Certain Actions:**

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor, the debtor's property, and certain codebtors. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

**Address of the Bankruptcy Clerk's Office:**

One Division Ave., N.  
Room 200  
Grand Rapids, MI 49503  
Telephone number: (616)456-2693

**For the Court:**

Clerk of the Bankruptcy Court:  
**DANIEL M. LAVILLE**

Hours Open: Monday – Friday 8:00 AM – 4:00 PM

Date: **1/13/10**

**EXPLANATIONS****B9I (Official Form 9I) (12/07)**

Filing of Chapter 13 Bankruptcy Case	A bankruptcy case under Chapter 13 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by the debtor(s) listed on the front side, and an order for relief has been entered. Chapter 13 allows an individual with regular income and debts below a specified amount to adjust debts pursuant to a plan. A plan is not effective unless confirmed by the bankruptcy court. You may object to confirmation of the plan and appear at the confirmation hearing. A copy or summary of the plan, if not enclosed, will be sent to you later, and if the confirmation hearing is not indicated on the front of this notice, you will be sent notice of the confirmation hearing. The debtor will remain in possession of the debtor's property and may continue to operate the debtor's business, if any, unless the court orders otherwise.
<b>Legal Advice</b>	The staff of the bankruptcy clerk's office cannot give legal advice. Consult a lawyer to determine your rights in this case.
Creditors Generally May Not Take Certain Actions	Prohibited collection actions against the debtor and certain codebtors are listed in Bankruptcy Code § 362 and § 1301. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures; and garnishing or deducting from the debtor's wages. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.
Claims	A Proof of Claim is a signed statement describing a creditor's claim. If a Proof of Claim form is not included with this notice, you can obtain one at any bankruptcy clerk's office. A secured creditor retains rights in its collateral regardless of whether that creditor files a Proof of Claim. If you do not file a Proof of Claim by the "Deadline to File a Proof of Claim" listed on the front side, you might not be paid any money on your claim from other assets in the bankruptcy case. To be paid you must file a Proof of Claim even if your claim is listed in the schedules filed by the debtor. Filing a Proof of Claim submits the creditor to the jurisdiction of the bankruptcy court, with consequences a lawyer can explain. For example, a secured creditor who files a Proof of Claim may surrender important nonmonetary rights, including the right to a jury trial. <b>Filing Deadline for a Creditor with a Foreign Address:</b> The deadlines for filing claims set forth on the front of this notice apply to all creditors. If this notice has been mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline.
Discharge of Debts	The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor. If you believe that a debt owed to you is not dischargeable under Bankruptcy Code § 523 (a)(2) or (4), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and any required filing fee by that deadline.
Exempt Property	The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors, even if the debtor's case is converted to chapter 7. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objection by the "Deadline to Object to Exemptions" listed on the front side.
Bankruptcy Clerk's Office	Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts and the list of property claimed as exempt, at the bankruptcy clerk's office.
Creditor with a Foreign Address	Consult a lawyer familiar with United States bankruptcy law if you have any questions regarding your rights in this case.
<b>Refer to Other Side for Important Deadlines and Notices</b>	

## B10 (Official Form 10) (12/08)

UNITED STATES BANKRUPTCY COURT Western District of Michigan		PROOF OF CLAIM
Name of Debtor: Mark L Smith	Case Number: 10-00212	
NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.		
Name of Creditor (the person or other entity to whom the debtor owes money or property):	<input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim.	
Name and address where notices should be sent:	Court Claim Number: _____ (If known)	
Telephone number:	Filed on: _____	
Name and address where payment should be sent (if different from above):	<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.	
Telephone number:	<input type="checkbox"/> Check this box if you are the debtor or trustee in this case.	
<b>1. Amount of Claim as of Date Case Filed:</b> \$ _____  If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4.  If all or part of your claim is entitled to priority, complete item 5.  <input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.	<b>5. Amount of Claim Entitled to Priority under 11 U.S.C. §507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount.</b>  Specify the priority of the claim.  <input type="checkbox"/> Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B).  <input type="checkbox"/> Wages, salaries, or commissions (up to \$10,950*) earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. §507 (a)(4).  <input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. §507 (a)(5).  <input type="checkbox"/> Up to \$2,425* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. §507 (a)(7).  <input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. §507 (a)(8).  <input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. §507 (a)(__).	
<b>2. Basis for Claim:</b> _____ (See instruction #2 on reverse side.)		
<b>3. Last four digits of any number by which creditor identifies debtor:</b> _____		
<b>3a. Debtor may have scheduled account as:</b> _____ (See instruction #3a on reverse side.)		
<b>4. Secured Claim</b> (See instruction #4 on reverse side.) Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information.  Nature of property or right of setoff: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe:  Value of Property: \$ _____ Annual Interest Rate ____ %		
Amount of arrearage and other charges as of time case filed included in secured claim, if any: \$ _____ Basis for perfection: _____		
Amount of Secured Claim: \$ _____ Amount Unsecured: \$ _____		
<b>6. Credits:</b> The amount of all payments on this claim has been credited for the purpose of making this proof of claim.		
<b>7. Documents:</b> Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See instruction 7 and definition of "redacted" on reverse side.)		
DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.		
If the documents are not available, please explain:		
Date: _____	Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any.	FOR COURT USE ONLY

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

\*Amounts are subject to adjustment on 4/1/10 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.

**B10 (Official Form 10) (12/08) - Cont.****INSTRUCTIONS FOR PROOF OF CLAIM FORM**

The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, there may be exceptions to these general rules.

**Items to be completed in Proof of Claim form****Court, Name of Debtor, and Case Number:**

Fill in the federal judicial district where the bankruptcy case was filed (for example, Central District of California), the bankruptcy debtor's name, and the bankruptcy case number. If the creditor received a notice of the case from the bankruptcy court, all of this information is located at the top of the notice.

**Creditor's Name and Address:**

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

**1. Amount of Claim as of Date Case Filed:**

State the total amount owed to the creditor on the date of the Bankruptcy filing. Follow the instructions concerning whether to complete items 4 and 5. Check the box if interest or other charges are included in the claim.

**2. Basis for Claim:**

State the type of debt or how it was incurred. Examples include goods sold, money loaned, services performed, personal injury/wrongful death, car loan, mortgage note, and credit card. If the claim is based on the delivery of health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information. You may be required to provide additional disclosure if the trustee or another party in interest files an objection to your claim.

**3. Last Four Digits of Any Number by Which Creditor Identifies Debtor:**

State only the last four digits of the debtor's account or other number used by the creditor to identify the debtor.

**3a. Debtor May Have Scheduled Account As:**

Use this space to report a change in the creditor's name, a transferred claim, or any other information that clarifies a difference between this proof of claim and the claim as scheduled by the debtor.

**DEFINITIONS****INFORMATION****Debtor**

A debtor is the person, corporation, or other entity that has filed a bankruptcy case.

**Creditor**

A creditor is a person, corporation, or other entity owed a debt by the debtor that arose on or before the date of the bankruptcy filing. See 11 U.S.C. §101 (10).

**Claim**

A claim is the creditor's right to receive payment on a debt owed by the debtor that arose on the date of the bankruptcy filing. See 11 U.S.C. §101 (5). A claim may be secured or unsecured.

**Proof of Claim**

A proof of claim is a form used by the creditor to indicate the amount of the debt owed by the debtor on the date of the bankruptcy filing. The creditor must file the form with the clerk of the same bankruptcy court in which the bankruptcy case was filed.

**Secured Claim Under 11 U.S.C. §506(a)**

A secured claim is one backed by a lien on property of the debtor. The claim is secured so long as the creditor has the right to be paid from the property prior to other creditors. The amount of the secured claim cannot exceed the value of the property. Any amount owed to the creditor in excess of the value of the property is an unsecured claim. Examples of liens on property include a mortgage on real estate or a security interest in a car.

A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In some states, a court judgment is a lien. A claim also may be secured if the creditor owes the debtor money (has a right to setoff).

**Unsecured Claim**

An unsecured claim is one that does not meet the requirements of a secured claim. A claim may be partly unsecured if the amount of the claim exceeds the value of the property on which the creditor has a lien.

**Claim Entitled to Priority Under 11 U.S.C.**

**§507(a)** Priority claims are certain categories of unsecured claims that are paid from the available money or property in a bankruptcy case before other unsecured claims.

**Redacted**

A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. A creditor should redact and use only the last four digits of any social-security, individual's tax-identification, or financial-account number, all but the initials of a minor's name and only the year of any person's date of birth.

**Evidence of Perfection**

Evidence of perfection may include a mortgage, lien, certificate of title, financing statement, or other document showing that the lien has been filed or recorded.

**Acknowledgment of Filing of Claim**

To receive acknowledgment of your filing, you may either enclose a stamped self-addressed envelope and a copy of this proof of claim or you may access the court's PACER system ([www.pacer.psc.uscourts.gov](http://www.pacer.psc.uscourts.gov)) for a small fee to view your filed proof of claim.

**Offers to Purchase a Claim**

Certain entities are in the business of purchasing claims for an amount less than the face value of the claims. One or more of these entities may contact the creditor and offer to purchase the claim. Some of the written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court or the debtor. The creditor has no obligation to sell its claim. However, if the creditor decides to sell its claim, any transfer of such claim is subject to FRBP 3001(e), any applicable provisions of the Bankruptcy Code (11 U.S.C. § 101 *et seq.*), and any applicable orders of the bankruptcy court.

**This claim should be returned to: Clerk, U.S.****Bankruptcy Court****Western District of Michigan****One Division Ave., N.****Room 200****Grand Rapids, MI 49503**

Claims must be received at the court on or before any bar date for filing claims which you may have received. The court will not accept faxed claims.

# CERTIFICATE OF NOTICE

District/off: 0646-1  
Case: 10-00212

User: powelle  
Form ID: b9i

Page 1 of 2  
Total Noticed: 32

Date Rcvd: Jan 13, 2010

The following entities were noticed by first class mail on Jan 15, 2010.

db +Mark L Smith, 8458 Saint Clair Road, Laingsburg, MI 48848-9461  
 aty +Charles R. Cuzydlo, Cuzydlo Law Group PLLC, 2193 Association Drive, Suite 200, Okemos, MI 48864-5996  
 tr +Mary K. Viegelahn, Cornerstone Building, 415 West Michigan Ave., Kalamazoo, MI 49007-3713  
 smg +MI DEPT OF TREASURY, COLLECTION DIVISION/BANKRUPTCY, PO BOX 30168, LANSING, MI 48909-7668  
 smg +SECRETARY OF THE TREASURY, 15TH & PENNSYLVANIA, WASHINGTON, DC 20220-0001  
 smg +SECURITIES & EXCHANGE COMM, BANKRUPTCY SECTION, 175 W. JACKSON BLVD., SUITE 900, CHICAGO, IL 60604-2615  
 ust +Jill M. Gies, U.S. Department of Justice, OUST, 211 West Fort, Suite 700, Detroit, MI 48226-3263  
 5709076 +Bailey, Smith & Bailey, P.C., 2211 Association Drive, Okemos MI 48864-4902  
 5709077 +Carl Schlegel Inc, 16527 Wood Street, Lansing MI 48906-1001  
 5709078 +Caterpillar Financial, P.O. Box 340001, Nashville TN 37203-0001  
 5709079 +Cuzydlo Law Group PLLC, 2193 Association Drive Suite 2, Okemos MI 48864-4903  
 5709081 +GMAC, PO Box 8118, Cockeysville MD 21030-8118  
 5709082 +LAFCU, 106 N. Marketplace Blvd., Lansing MI 48917-7753  
 5709083 +Michigan Dept of Treasury, Bankruptcy-Claims Unit, PO Box 30168, Lansing MI 48909-7668  
 5709084 +Michigan Laser Inc, 46870 Grand River, Novi MI 48374-1327  
 5709085 Miller Redi Mix, 6218 South Wright, Fowler MI 48835  
 5709086 +Nationstar Mortgage, 350 Highland Drive, Lewisville TX 75067-4177  
 5709087 +Rhonda Ann Curtis, 11040 Chandler Road, Dewitt MI 48820-9789  
 5709074 +State of Michigan, Dept.of Labor & Economic, Growth, UIA, 3030 W. Grand Blvd., Detroit MI 48202-6030  
 5709088 +Trinity Engineering and Survey, 107 N Clinton Ave, Saint Johns MI 48879-1501  
 5709075 United States Attorney's Offic, Western District of Michigan, Bankruptcy Section, PO Box 208, Grand Rapids MI 49501-0208

The following entities were noticed by electronic transmission on Jan 13, 2010.

ust +E-mail/Text: ustpregion09.gr.ecf@usdoj.gov Daniel J. Casamatta,  
 Assistant U.S. Trustee, Office of the U.S. Trustee, The Ledyard Building, 2nd Floor,  
 125 Ottawa NW, Suite 200R, Grand Rapids, MI 49503-2837  
 ust +E-mail/Text: ustpregion09.gr.ecf@usdoj.gov Daniel M. McDermott,  
 Office of the United States Trustee, Michigan/Ohio Region 9, The Ledyard Building, 2nd Floor,  
 125 Ottawa NW, Suite 200R, Grand Rapids, MI 49503-2837  
 ust +E-mail/Text: ustpregion09.gr.ecf@usdoj.gov David W. Asbach,  
 Office of the US Trustee, The Ledyard Building, 2nd Floor, 125 Ottawa NW, Suite 200R,  
 Grand Rapids, MI 49503-2837  
 ust +E-mail/Text: ustpregion09.gr.ecf@usdoj.gov Dean E. Rietberg,  
 Trial Attorney, Office of the US Trustee, The Ledyard Building, 2nd Floor,  
 125 Ottawa NW, Suite 200R, Grand Rapids, MI 49503-2837  
 ust +E-mail/Text: ustpregion09.gr.ecf@usdoj.gov Habbo G. Fokkena,  
 Office of the United States Trustee, Michigan/Ohio Region 9, The Ledyard Building, 2nd Floor,  
 125 Ottawa NW, Suite 200R, Grand Rapids, MI 49503-2837  
 ust +E-mail/Text: ustpregion09.gr.ecf@usdoj.gov Matthew T. Cronin,  
 Office of the US Trustee, The Ledyard Building, 2nd Floor, 125 Ottawa NW, Suite 200R,  
 Grand Rapids, MI 49503-2837  
 ust +E-mail/Text: ustpregion09.gr.ecf@usdoj.gov Michael V. Maggio,  
 Trial Attorney, Office of the US Trustee, The Ledyard Building, 2nd Floor,  
 125 Ottawa NW, Suite 200R, Grand Rapids, MI 49503-2837  
 ust +E-mail/Text: ustpregion09.gr.ecf@usdoj.gov Michelle M. Wilson,  
 Trial Attorney, Office of the US Trustee, The Ledyard Building, 2nd Floor,  
 125 Ottawa NW, Suite 200R, Grand Rapids, MI 49503-2837  
 ust +E-mail/Text: ustpregion09.gr.ecf@usdoj.gov Office of the U.S. Trustee,  
 The Ledyard Building, 2nd Floor, 125 Ottawa NW, Suite 200R, Grand Rapids, MI 49503-2837  
 5709080 +E-mail/Text: bankruptcysupport@flagstar.com Flagstar Bank,  
 5151 Corporate Drive, Troy MI 48098-2639  
 5709081 +EDI: GMACFS.COM Jan 13 2010 18:03:00 GMAC, PO Box 8118, Cockeysville MD 21030-8118  
 5709073 +EDI: IRS.COM Jan 13 2010 18:03:00 Internal Revenue Service, P.O. Box 21126,  
 Philadelphia PA 19114-0326

TOTAL: 12

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

District/off: 0646-1  
Case: 10-00212

User: powelle  
Form ID: b9i

Page 2 of 2  
Total Noticed: 32

Date Rcvd: Jan 13, 2010

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 15, 2010

Signature:

A handwritten signature in black ink, appearing to read "Joseph Speetjens", is written over a horizontal line.